

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.334 of 2021

Divisional Manager, M/s. National Insurance Co. Ltd.

Appellant

Mr. P.K. Mahali, Adv.

-versus-

Santilata Dalei and Ors.

Respondents

Mr. Pradeep Ku. Mishra, Adv.
(For Respondent Nos.1 and 2)

CORAM:
JUSTICE S.K. PANIGRAHI

ORDER
12.03.2022

Order No.

01. 1. This matter is taken up through hybrid mode in the 1st National Lok Adalat, 2022.
2. Learned counsel for the Appellant/Insurance Company and learned counsel for the Respondent Nos.1 and 2/ Claimants are present.
3. The Appellant/ Insurance Company has filed this MACA challenging the judgment and award dated 29.02.2020 passed by the learned Additional District Judge-cum- 3rd M.A.C.T., Jagatsinghpur in M.A.C. Case No.137 of 2013 directing the Appellant/ Insurance Company to pay a sum of Rs.10,02,000/- (Rupees ten lakh two thousand only) to the Respondent Nos.1 and 2/Claimants with accrued interest @ 7 per cent per annum from 28.06.2013 till realization of the same.
4. At present, on the basis of the compromise made between the parties, the claim is settled by modifying/ reducing the amount

awarded from Rs.10,02,000/- (Rupees ten lakh two thousand only) to Rs.9,00,000/- (Rupees nine lakh only) with interest @ 6 per cent per annum from the date of application. The Insurance Company undertakes to re-calculate and deposit the modified award amount before the learned Additional District Judge-cum- 3rd M.A.C.T., Jagatsinghpur in M.A.C. Case No.137 of 2013 within a period of eight weeks hence along with the interest @ 6 per cent per annum.

5. On deposit of the modified award amount along with the interest as stated above before the learned Additional District Judge-cum- 3rd M.A.C.T., Jagatsinghpur in M.A.C. Case No.137 of 2013, the same shall be disbursed to the Respondent Nos.1 and 2/Claimants in terms of its order proportionately. Further, on filing of a receipt evidencing the deposit before this Court with a refund application, the statutory deposit, if any, made before this Court with accrued interest thereon shall be refunded to the Appellant/Insurance Company.

6. The MACA is, accordingly, disposed of.

7. Urgent certified copy of this order be granted on proper application.

(S.K. Panigrahi, J.)
1st National Lok Adalat, 2022

BJ